

Title 22: HEALTH AND WELFARE
Chapter 1471: GENERAL PROVISIONS

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Maine Revised Statutes
Title 22: HEALTH AND WELFARE
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§5304. DEFINITIONS

For purposes of this Part and Part 2, unless the context otherwise indicates, the following words shall have the following meanings. [1973, c. 793, §12 (NEW) .]

1. Agreement. "Agreement" means a legally binding document between 2 parties including such document as is commonly referred to as purchase of services, contract, grant or accepted proposal.

[1973, c. 793, §12 (NEW) .]

1-A. Adult developmental services. "Adult developmental services" has the same meaning as in Title 34-B, section 1001, subsection 1-A.

[2011, c. 542, Pt. A, §41 (NEW) .]

2. Office. "Office" means the Office of Child and Family Services, Department of Health and Human Services.

[2013, c. 368, Pt. CCCC, §5 (AMD) .]

3. Bureau of Elder and Adult Services.

[2011, c. 657, Pt. BB, §10 (RP) .]

4. Commissioner. "Commissioner" means the Commissioner of the Department of Health and Human Services or his successors.

[1975, c. 293, §4 (AMD); 2003, c. 689, Pt. B, §7 (REV) .]

5. Committee. "Committee" means the Maine Committee on Aging.

[1973, c. 793, §12 (NEW) .]

6. Council. "Council" means the Maine Human Services Council.

[1983, c. 409, §2 (AMD) .]

7. Department. "Department" means the Maine Department of Health and Human Services.

[1975, c. 293, §4 (AMD); 2003, c. 689, Pt. B, §6 (REV) .]

8. Director. "Director" means the director, Bureau of Resource Development, Maine Department of Health and Human Services.

[1975, c. 293, §§4, 5 (AMD); 2003, c. 689, Pt. B, §6 (REV) .]

9. Director, Bureau of Elder and Adult Services.

[2011, c. 657, Pt. BB, §11 (RP) .]

10. Elderly or Older People. "Elderly" or "Older People" are synonymous and mean persons 60 years of age or more, or those persons otherwise defined as elderly or older for the purpose of eligibility for assistance or services under specific federal or state laws and programs.

[1973, c. 793, §12 (NEW) .]

11. Human services. "Human services" means any facilities, functions, programs or services administered or supported, financially or otherwise, by State Government, including, but not limited to, the following services, including services to older people funded by Title IV or Title VI, or their successors or amendments or additions thereto of the United States Social Security Act, as amended, and excepting all other services to older people:

- A. Children's, youth, family and social services; [1973, c. 793, §12 (NEW) .]
- B. Any service, health, medical care, rehabilitation or social welfare, administered or supported currently or in the future by the department; and [1973, c. 793, §12 (NEW) .]
- C. Any income maintenance, income supplement, public assistance, general assistance, welfare, donated food or food stamp program. [1973, c. 793, §12 (NEW) .]

[1975, c. 90, §C, §5 (AMD) .]

12. Household. "Household" means household as defined for purposes of the state income tax.

[1973, c. 793, §12 (NEW) .]

13. Household income. "Household income" means all income received by all persons of a household, as defined for income tax purposes, in a calendar year while members of the household.

[1973, c. 793, §12 (NEW) .]

14. Income. "Income" means the sum of Maine adjusted gross income determined in accordance with Title 36, Part 8, the amount of capital gains excluded from adjusted gross income, alimony, support money, nontaxable strike benefits, the gross amount of any pension or annuity including railroad retirement benefits, all payments received under the Federal Social Security Act, state unemployment insurance laws and veterans' disability pensions, nontaxable interest received from the Federal Government or any of its instrumentalities, workers' compensation and the gross amount of "loss of time" insurance, cash public assistance and relief. It does not include gifts from nongovernmental sources or surplus foods or other relief in kind supplied by a governmental agency or property tax relief for the elderly.

[1987, c. 769, Pt. A, §79 (AMD) .]

15. Nonprofit organization. "Nonprofit organization" means any agency, institution or organization which is, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual and which has a territory of operations that may extend to a neighborhood or community region of the State of Maine.

[1981, c. 470, Pt. A, §118 (AMD) .]

16. Public. "Public" means municipal, county and other governmental bodies which are political subdivisions within the State of Maine.

[1973, c. 793, §12 (NEW) .]

17. Social services. "Social services" means any facilities, functions, programs or services administered or supported financially or otherwise, by State Government including, but not limited to, the following social services, including services to older people funded by Title IV or Title VI, or their successors or amendments or additions thereto of the United States Social Security Act, as amended, and excepting all other service to older people:

A. Any service listed in Part 2 of the March 1973 Report to the Appropriations Committee, pages 6 to 9, 106th Legislature, with recommendations to adopt basic policies to guide the appropriation of state funds for social services; [1973, c. 793, §12 (NEW).]

B. Any service designated as a priority social service pursuant to section 6110; [1973, c. 793, §12 (NEW).]

C. Any service commonly practiced under public or private auspices by registered social workers, professional social workers, human service workers and social workers. [1973, c. 793, §12 (NEW).]

[1975, c. 90, §C, §5 (AMD) .]

18. Rural area. "Rural area" means a geographical area or place of less than 10,000 inhabitants. "Rural population" consists of all persons living in places of less than 10,000 inhabitants incorporated as cities, villages, boroughs and towns, including those persons living in the rural portions of extended cities, unincorporated places of less than 10,000 inhabitants and other territory, incorporated or unincorporated.

[1975, c. 90, §C, §2 (NEW) .]

19. Extended city. "Extended city" means a city containing one or more areas, each of at least 5 square miles in extent and with a population density of less than 100 persons per square mile according to the 1970 census. The area or areas shall constitute at least 25% of the land area of the legal city or total 5 square miles or more.

[1975, c. 90, §C, §2 (NEW) .]

SECTION HISTORY

1973, c. 793, §12 (NEW). P&SL 1975, c. 90, §§SEC.C,2,5 (AMD). 1975, c. 293, §§4,5 (AMD). 1981, c. 470, §A118 (AMD). 1983, c. 409, §2 (AMD). 1987, c. 769, §A79 (AMD). 1989, c. 329, §§19,20 (AMD). 1991, c. 824, §A47 (AMD). 2003, c. 689, §§B6,7 (REV). 2011, c. 542, Pt. A, §41 (AMD). 2011, c. 657, Pt. BB, §§10, 11 (AMD). 2013, c. 368, Pt. CCCC, §5 (AMD).

§5305. STATE AGENCIES TO COOPERATE

State agencies shall cooperate fully with the bureau and council in carrying out this Part and Part 2. The bureau and council are authorized to request such personnel, financial assistance, facilities and data as are reasonably required to assist the bureau and council to fulfill their powers and duties. [1973, c. 793, §12 (NEW).]

State agencies proposing to develop, establish, conduct or administer programs or to assist programs relating to this Part and Part 2 shall, prior to carrying out such actions, consult with the bureau. All agencies of State Government shall advise the bureau of their proposed administrative, fiscal and legislative activities relating to this Part and Part 2. State agencies, in the implementation of their activities relating to this Part, shall keep the bureau fully informed of their progress. [1973, c. 793, §12 (NEW).]

SECTION HISTORY

1973, c. 793, §12 (NEW).

§5306. AGREEMENTS WITH COMMUNITY AGENCIES

All funds disbursed by the department to a community agency for the purpose of financially supporting a human service shall be covered by a written agreement, pursuant to the same provisions specified for the department in Title 34, section 12. [1981, c. 493, §2 (AMD); 1995, c. 560, Pt. K, §82 (AMD); 1995, c. 560, Pt. K, §83 (AFF); 2001, c. 354, §3 (AMD); 2003, c. 689, Pt. B, §6 (REV).]

SECTION HISTORY

1977, c. 307, §1 (NEW). 1981, c. 493, §2 (AMD). 1995, c. 560, §K82 (AMD). 1995, c. 560, §K83 (AFF). 2001, c. 354, §3 (AMD). 2003, c. 689, §B6 (REV).

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